

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

KENNETH ARTHUR MEGO,

Defendant.

DECISION AND ORDER
04-CR-222S-3

1. On September 23, 2004, this Court referred this matter to the Honorable H. Kenneth Schroeder, United States Magistrate Judge, for all pretrial matters pursuant to 28 U.S.C. § 636(b)(1)(A), and thereafter to file a Report and Recommendation.

2. On September 8, 2005, Judge Schroeder filed a Report, Recommendation and Order dated September 2, 2005 recommending that Defendant's motion to suppress "all electronic eavesdropping evidence" be denied in its entirety.¹

3. No objections to the Report and Recommendation were received from either party within ten (10) days from the date of its service, in accordance with 28 U.S.C. § 636(b)(1)(C) and Local Rule 72.3(a)(3).

4. This Court has carefully reviewed Judge Schroeder's September 2, 2005 Report, Recommendation and Order, and the submissions of the parties with respect to Defendant's request to suppress the eavesdropping evidence.

IT HEREBY IS ORDERED that this Court accepts Judge Schroeder's September 2, 2005 Report, Recommendation and Order (Docket No. 74).

¹ On the official docket, Defendant Mego's motion is designated as a "Motion for Discovery." (Docket No. 40).

FURTHER, that Defendant's Motion for Discovery (Docket No. 40) is DENIED insofar as it seeks to suppress "all electronic eavesdropping evidence."

SO ORDERED.

Dated: February 14, 2006
Buffalo, New York

/s/William M. Skretny
WILLIAM M. SKRETNY
United States District Judge